



Memorandum

TO: HONORABLE MAYOR AND
CITY COUNCIL

FROM: Stephen M. Haase

SUBJECT: SEE BELOW

DATE: May 13, 2004

COUNCIL DISTRICT: 3
SNI AREA: 13th Street

SUBJECT: C04-030. DIRECTOR INITIATED REZONING OF AN AREA LOCATED WITHIN THE 13TH STREET STRONG NEIGHBORHOODS INITIATIVE AREA AND GENERALLY LOCATED ON BOTH SIDES OF NORTH 13TH STREET BETWEEN HEDDING AND JACKSON STREETS COVERING APPROXIMATELY 19.33 ACRES.

RECOMMENDATION

The Planning Commission voted 7-0-0 to recommend that the City Council approve the proposed rezoning.

BACKGROUND

On May 12, 2004, the Planning Commission held a public hearing to consider a Planned Development rezoning from CN Neighborhood Commercial to CP Pedestrian Commercial to encourage development that is consistent with the objective of creating a vibrant, pedestrian-oriented, neighborhood business district, as reflected in the City Council adopted *13th Street Strong Neighborhoods Initiative Improvement Plan*.

The Director of Planning, Building and Code Enforcement recommended approval of the proposed rezoning. The proposed project was considered as a consent calendar item. There was no discussion by the Planning Commission. No one from the public spoke in favor of or in opposition to the project.

The Planning Commission then closed the public hearing.

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PUBLIC OUTREACH

A notice of the public hearing was distributed to the owners and tenants of all properties located within 500 feet of the project site. Furthermore, the Planning Division's website contains information regarding the zoning process, the legal nonconforming use process, the Zoning Ordinance, and the *San José 2020 General Plan*. In addition, information on this proposed rezoning application, including staff reports and public hearing schedule, is also available. This website is used by the community to keep informed of the status of development applications. Staff has also made itself available to discuss the subject project on an individual meeting-basis with property owners and members of the public.

Property Owner Meeting

Planning staff set hosted a public meeting with property owners and community members on Thursday, April 8, 2004 at City Hall to discuss the proposed rezoning. Information about the proposed rezoning (attached) was sent to the property owners in advance of the meeting along with the meeting notice. While staff received one phone call and one email asking questions regarding the proposed rezoning, no property owners showed up at the property owners meeting, and property owners have expressed no opposition to the rezoning.

SNI Outreach

Staff presented the proposed rezoning at the January 13th Street SNI Neighborhood Advisory Committee (NAC) meetings and provided the NAC with an update at their April meeting. The 13th Street NAC has expressed verbal support for the proposed rezoning. In addition, the proposed rezoning was presented to the 13th Street Business Association in February. No opposition or concerns with the proposed rezoning was expressed at this meeting.

COORDINATION

As standard procedure in the development review process, this project was coordinated with the Department of PublicWorks, Fire Department, Police Department, Environmental Services Department and the City Attorney. The project was also coordinated with the District 3 Council Office and the Redevelopment Agency.

STEPHEN M. HAASE
Secretary, Planning Commission

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